

In re Patent Application of:
COHEN ET AL
Serial No. 09/885,683
Filed: JUNE 20, 2001

REMARKS

Claims 1 to 18 are currently pending. Claims 1 to 4 and 12 to 14 have been rejected under 35 U.S.C. 102(a) as being anticipated by United States Patent No. 5,671,077 (Imakawa). Claims 5 to 11 and 15 to 18 have been rejected under 35 U.S.C. 103(a) as being unpatentable over Imakawa. Claims 3 to 11 have been rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

The claims of the application have been amended to overcome the objections of the Examiner and to better define the invention in light of the prior art. In particular, claims 1, 2 and 3 have been amended to more clearly define the "optical paths" as "first and second optical paths". The phrase "said grease" has been replaced with the more appropriate term "said transparent fluid", in claim 11.

Additional minor amendments have been made to claims 3, 6, 7, 9, 10, 11, 13, 14 to correct typographical errors, e.g. "thru", and to ensure consistent use of terminology, e.g. "inclined planar surface", "subassembly housing", "glass member", "transparent member", "planar surface".

Claims 1 and 12 have been amended to more clearly define the "cover member" as being "a molded transparent cover member...defining an inclined planar surface" with a "partially reflective/partially transmissive coating for separating the emitted light" into first and second beams.

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An object of the present invention is to simplify the manufacturing process, while facilitating the alignment of the optical components. The present invention incorporates the beam-splitter 19, the lens 21, and mirror 23 and the supporting member 19 from the Imakawa reference into a single element, i.e. cover member 72. This greatly simplifies the manufacturing process, since four elements become one, and effectively eliminates any alignment problems between the laser, the beam-splitter, the lens, the mirror, and the photo-detector. Moreover, the size of the beam-splitter, the lens and the reflecting mirror are dictated by their optical requirements, not by a minimum size requirement for handling during assembly. Furthermore, the elimination of supporting structures for the aforementioned optical elements enables a separate lens to be completely eliminated, because the reflective surfaces can be positioned in very close proximity. As discussed in paragraph 42, this also increases the efficiency of the photo-detector.

Claim 19 has been added to ensure all aspects of the invention are protected. No new matter has been added.

As such, it is respectfully submitted that all of the claims remaining in the application are in condition for allowance. Early and favorable consideration would be appreciated.

Should any minor informalities need to be addressed, the Examiner is encouraged to contact the undersigned attorney at the telephone number listed below.

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